

AMENDED IN SENATE JULY 1, 2010  
AMENDED IN SENATE JUNE 10, 2010  
AMENDED IN ASSEMBLY MAY 3, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1944**

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**Introduced by Assembly Member Fletcher**

February 17, 2010

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An act to amend Sections 5007 and 22511.55 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1944, as amended, Fletcher. Vehicles: special license plates: disabled veterans.

~~Under~~

(1) *Under* existing law, the Department of Motor Vehicles is required, upon application and without additional fees, to issue a special license plate or plates to a disabled person, a disabled veteran, or an organization or agency involved in the transportation of those persons pursuant to procedures adopted by the department. Existing law requires the department, prior to issuing a special license plate to a disabled person or disabled veteran, to require the submission of a certificate signed by a medical professional, as provided, that substantiates the disability of the person or veteran, in certain situations.

This bill, in addition, would require the department to accept, in lieu of the certificate signed by a medical professional, a certificate from the United States Department of Veterans Affairs that certifies the applicant is a disabled veteran.

~~Existing~~

(2) *Existing* law authorizes a disabled person or veteran to apply to the department for the issuance of a distinguishing placard to be used in lieu of the special license plate. Existing law requires the department, prior to issuing the placard to a disabled person or disabled veteran, to require the submission of a certificate signed by a medical professional, as provided, that substantiates the disability of the person or veteran, in certain situations.

This bill, in addition, would require the department to accept, in lieu of the certificate signed by a medical professional, a certificate from the United States Department of Veterans Affairs that certifies the applicant is a disabled veteran.

(3) *This bill would incorporate changes in Section 5007 of the Vehicle Code proposed by AB 2777 that would become operative only if both bills are enacted and this bill is enacted after AB 2777. This bill would also incorporate additional changes in Section 22511.55 of the Vehicle Code proposed by AB 1855, or SB 1318, or both, to be operative only if AB 1855, or SB 1318, or both, and this bill are chaptered and become effective on or before January 1, 2011, and this bill is chaptered last.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 5007 of the Vehicle Code is amended to  
2     read:  
3     5007. (a) The department shall, upon application and without  
4     additional fees, issue a special license plate or plates pursuant to  
5     procedures adopted by the department to the following:  
6     (1) A disabled person.  
7     (2) A disabled veteran.  
8     (3) An organization or agency involved in the transportation of  
9     disabled persons or disabled veterans if the vehicle that will have  
10    the special license plate is used solely for the purpose of  
11    transporting those persons.  
12    (b) The special license plates issued under subdivision (a) shall  
13    run in a regular numerical series that shall include one or more  
14    unique two-letter codes reserved for disabled person license plates  
15    or disabled veteran license plates. The International Symbol of  
16    Access adopted pursuant to Section 3 of Public Law 100-641,

1 commonly known as the “wheelchair symbol” shall be depicted  
2 on each plate.

3 (c) (1) Except as provided in paragraph (3), prior to issuing a  
4 special license plate to a disabled person or disabled veteran, the  
5 department shall require the submission of a certificate, in  
6 accordance with paragraph (2), signed by the physician and  
7 surgeon, or to the extent that it does not cause a reduction in the  
8 receipt of federal aid highway funds, by a nurse practitioner,  
9 certified nurse midwife, or physician assistant, substantiating the  
10 disability, unless the applicant’s disability is readily observable  
11 and uncontested. The disability of a person who has lost, or has  
12 lost use of, one or more lower extremities or one hand, for a  
13 disabled veteran, or both hands for a disabled person, or who has  
14 significant limitation in the use of lower extremities, may also be  
15 certified by a licensed chiropractor. The blindness of an applicant  
16 shall be certified by a licensed physician and surgeon who  
17 specializes in diseases of the eye or a licensed optometrist. The  
18 physician and surgeon, nurse practitioner, certified nurse midwife,  
19 physician assistant, chiropractor, or optometrist certifying the  
20 qualifying disability shall provide a full description of the illness  
21 or disability on the form submitted to the department.

22 (2) The physician and surgeon, nurse practitioner, certified nurse  
23 midwife, physician assistant, chiropractor, or optometrist who  
24 signs a certificate submitted under this subdivision shall retain  
25 information sufficient to substantiate that certificate and, upon  
26 request of the department, shall make that information available  
27 for inspection by the Medical Board of California or the appropriate  
28 regulatory board.

29 (3) For a disabled veteran, the department shall accept, in lieu  
30 of the certificate described in paragraph (1), a certificate from the  
31 United States Department of Veterans Affairs that certifies *that*  
32 the applicant is a disabled veteran as described in Section 295.7.

33 (d) A disabled person or disabled veteran issued a license plate  
34 or plates under this section shall, upon request, present to a peace  
35 officer, or person authorized to enforce parking laws, ordinances,  
36 or regulations, a certification form that substantiates the eligibility  
37 of the disabled person or veteran to possess the plate or plates. The  
38 certification shall be on a form prescribed by the department and  
39 contain the name of the disabled person or disabled veteran to  
40 whom the plate or plates were issued, and the name, address, and

1 telephone number of the medical professional described in  
2 subdivision (c) who certified the eligibility of the person or veteran  
3 for the plate or plates.

4 (e) The certification requirements of subdivisions (c) and (d)  
5 do not apply to an organization or agency that is issued a special  
6 license plate or plates under paragraph (3) of subdivision (a).

7 (f) The special license plate shall, upon the death of the disabled  
8 person or disabled veteran, be returned to the department within  
9 60 days or upon the expiration of the vehicle registration,  
10 whichever occurs first.

11 (g) When a vehicle subject to paragraph (3) of subdivision (a)  
12 is sold or transferred, the special license plate or plates issued to  
13 an organization or agency under paragraph (3) of subdivision (a)  
14 for that vehicle shall be immediately returned to the department.

15 *SEC. 1.5. Section 5007 of the Vehicle Code is amended to read:*

16 5007. (a) The department shall, upon application and without  
17 additional fees, issue a special license plate or plates pursuant to  
18 procedures adopted by the department to the following:

19 (1) A disabled person.

20 (2) A disabled veteran.

21 (3) An organization or agency involved in the transportation of  
22 disabled persons or disabled veterans if the *motor* vehicle that will  
23 have the special license plate is used solely for the purpose of  
24 transporting those persons.

25 (b) The special license plates issued under subdivision (a) shall  
26 run in a regular numerical series that shall include one or more  
27 unique two-letter codes reserved for disabled person license plates  
28 or disabled veteran license plates. The International Symbol of  
29 Access adopted pursuant to Section 3 of Public Law 100-641,  
30 commonly known as the “wheelchair symbol” shall be depicted  
31 on each plate.

32 (c) (1) ~~Prior~~ *Except as provided in paragraph (3), prior to*  
33 issuing a special license plate to a disabled person or disabled  
34 veteran, the department shall require the submission of a certificate,  
35 in accordance with paragraph (2), signed by the physician and  
36 surgeon, or to the extent that it does not cause a reduction in the  
37 receipt of federal aid highway funds, by a nurse practitioner,  
38 certified nurse midwife, or physician assistant, substantiating the  
39 disability, unless the applicant’s disability is readily observable  
40 and uncontested. The disability of a person who has lost, or has

lost use of, one or more lower extremities or one hand, for a disabled veteran, or both hands for a disabled person, or who has significant limitation in the use of lower extremities, may also be certified by a licensed chiropractor. The blindness of an applicant shall be certified by a licensed physician and surgeon who specializes in diseases of the eye or a licensed optometrist. The physician and surgeon, nurse practitioner, certified nurse midwife, physician assistant, chiropractor, or optometrist certifying the qualifying disability shall provide a full description of the illness or disability on the form submitted to the department.

(2) The physician and surgeon, nurse practitioner, certified nurse midwife, physician assistant, chiropractor, or optometrist who signs a certificate submitted under this subdivision shall retain information sufficient to substantiate that certificate and, upon request of the department, shall make that information available for inspection by the Medical Board of California or the appropriate regulatory board.

(3) *For a disabled veteran, the department shall accept, in lieu of the certificate described in paragraph (1), a certificate from the United States Department of Veterans Affairs that certifies that the applicant is a disabled veteran as described in Section 295.7.*

(d) A disabled person or disabled veteran issued a license plate or plates under this section shall, upon request, present to a peace officer, or person authorized to enforce parking laws, ordinances, or regulations, a certification form that substantiates the eligibility of the disabled person or veteran to possess the plate or plates. The certification shall be on a form prescribed by the department and contain the name of the disabled person or disabled veteran to whom the plate or plates were issued, and the name, address, and telephone number of the medical professional described in subdivision (c) who certified the eligibility of the person or veteran for the plate or plates.

(e) The certification requirements of subdivisions (c) and (d) do not apply to an organization or agency that is issued a special license plate or plates under paragraph (3) of subdivision (a).

(f) The special license plate shall, upon the death of the disabled person or disabled veteran, be returned to the department within 60 days or upon the expiration of the vehicle registration, whichever occurs first.

(g) When a *motor* vehicle subject to paragraph (3) of subdivision (a) is sold or transferred, the special license plate or plates issued to an organization or agency under paragraph (3) of subdivision (a) for that *motor* vehicle shall be immediately returned to the department.

SEC. 2. Section 22511.55 of the Vehicle Code is amended to read:

22511.55. (a) (1) A disabled person or disabled veteran may apply to the department for the issuance of a distinguishing placard. The placard may be used in lieu of the special license plate or plates issued under Section 5007 for parking purposes described in Section 22511.5 when suspended from the rearview mirror or, if there is no rearview mirror, when displayed on the dashboard of a vehicle. It is the intent of the Legislature to encourage the use of these distinguishing placards because they provide law enforcement officers with a more readily recognizable symbol for distinguishing vehicles qualified for the parking privilege. The placard shall be the size, shape, and color determined by the department and shall bear the International Symbol of Access adopted pursuant to Section 3 of Public Law 100-641, commonly known as the “wheelchair symbol.” The department shall incorporate instructions for the lawful use of a placard, and a summary of the penalties for the unlawful use of a placard, into the identification card issued to the placard owner.

(2) (A) The department may establish procedures for the issuance and renewal of the placards. The placards shall have a fixed expiration date of June 30 every two years. A portion of the placard shall be printed in a contrasting color that shall be changed every two years. The size and color of this contrasting portion of the placard shall be large and distinctive enough to be readily identifiable by a law enforcement officer in a passing vehicle.

(B) As used in this section, “year” means the period between the inclusive dates of July 1 through June 30.

(C) Prior to the end of each year, the department shall, for the most current three years available, compare its record of disability placards issued against the records of the ~~Bureau of Vital Statistics of the State Department of Health Services~~ *Office of Vital Records of the State Department of Public Health*, or its successor, and withhold any renewal notices that otherwise would have been sent, for a placardholder identified as deceased.

1 (3) Except as provided in paragraph (4), a person is not eligible  
2 for more than one placard at a time.

3 (4) Organizations and agencies involved in the transportation  
4 of disabled persons or disabled veterans may apply for a placard  
5 for each vehicle used for the purpose of transporting disabled  
6 persons or disabled veterans.

7 (b) (1) Except as provided in paragraph (4), prior to issuing an  
8 original distinguishing placard to a disabled person or disabled  
9 veteran, the department shall require the submission of a certificate,  
10 in accordance with paragraph (2), signed by the physician and  
11 surgeon, or to the extent that it does not cause a reduction in the  
12 receipt of federal aid highway funds, by a nurse practitioner,  
13 certified nurse midwife, or physician assistant, substantiating the  
14 disability, unless the applicant's disability is readily observable  
15 and uncontested. The disability of a person who has lost, or has  
16 lost use of, one or more lower extremities or one hand, for a  
17 disabled veteran, or both hands, for a disabled person, or who has  
18 significant limitation in the use of lower extremities, may also be  
19 certified by a licensed chiropractor. The blindness of an applicant  
20 shall be certified by a licensed physician and surgeon who  
21 specializes in diseases of the eye or a licensed optometrist. The  
22 physician and surgeon, nurse practitioner, certified nurse midwife,  
23 physician assistant, chiropractor, or optometrist certifying the  
24 qualifying disability shall provide a full description of the illness  
25 or disability on the form submitted to the department.

26 (2) The physician and surgeon, nurse practitioner, certified nurse  
27 midwife, physician assistant, chiropractor, or optometrist who  
28 signs a certificate submitted under this subdivision shall retain  
29 information sufficient to substantiate that certificate and, upon  
30 request of the department, shall make that information available  
31 for inspection by the Medical Board of California or the appropriate  
32 regulatory board.

33 (3) The department shall maintain in its records all information  
34 on an applicant's certification of permanent disability and shall  
35 make that information available to eligible law enforcement or  
36 parking control agencies upon a request pursuant to Section  
37 22511.58.

38 (4) For a disabled veteran, the department shall accept, in lieu  
39 of the certificate described in paragraph (1), a certificate from the

1 United States Department of Veterans Affairs that certifies that  
2 the applicant is a disabled veteran as described in Section 295.7.

3 (c) A person who is issued a distinguishing placard pursuant to  
4 subdivision (a) may apply to the department for a substitute placard  
5 without recertification of eligibility, if that placard is lost or stolen.

6 (d) The distinguishing placard shall be returned to the  
7 department not later than 60 days after the death of the disabled  
8 person or disabled veteran to whom the placard was issued.

9 (e) The department shall print on any distinguishing placard  
10 issued on or after January 1, 2005, the maximum penalty that may  
11 be imposed for a violation of Section 4461. For purposes of this  
12 subdivision, the “maximum penalty” is the amount derived from  
13 adding all of the following:

14 (1) The maximum fine that may be imposed under Section 4461.

15 (2) The penalty required to be imposed under Section 70372 of  
16 the Government Code.

17 (3) The penalty required to be levied under Section 76000 of  
18 the Government Code.

19 (4) The penalty required to be levied under Section 1464 of the  
20 Penal Code.

21 (5) The surcharge required to be levied under Section 1465.7  
22 of the Penal Code.

23 (6) The penalty authorized to be imposed under Section 4461.3.

24 *SEC. 2.3. Section 22511.55 of the Vehicle Code is amended to*  
25 *read:*

26 22511.55. (a) (1) A disabled person or disabled veteran may  
27 apply to the department for the issuance of a distinguishing placard.  
28 The placard may be used in lieu of the special license plate or  
29 plates issued under Section 5007 for parking purposes described  
30 in Section 22511.5 when suspended from the rearview mirror or,  
31 if there is no rearview mirror, when displayed on the dashboard  
32 of a vehicle. It is the intent of the Legislature to encourage the use  
33 of ~~these~~ distinguishing placards because they provide law  
34 enforcement officers with a more readily recognizable symbol for  
35 distinguishing vehicles qualified for the parking privilege. The  
36 placard shall be the size, shape, and color determined by the  
37 department and shall bear the International Symbol of Access  
38 adopted pursuant to Section 3 of Public Law 100-641, commonly  
39 known as the “wheelchair symbol.” The department shall  
40 incorporate instructions for the lawful use of a placard, and a



summary of the penalties for the unlawful use of a placard, into the identification card issued to the placard owner.

(2) (A) The department may establish procedures for the issuance and renewal of the placards. *The procedures shall include, but are not limited to, advising an applicant in writing on the application for a placard, of the procedure to apply for a special license plate or plates, as described in Section 5007, and the fee exemptions established pursuant to Section 9105 and in subdivision (a) of Section 10783 of the Revenue and Taxation Code.* The placards shall have a fixed expiration date of June 30 every two years. A portion of the placard shall be printed in a contrasting color that shall be changed every two years. The size and color of this contrasting portion of the placard shall be large and distinctive enough to be readily identifiable by a law enforcement officer in a passing vehicle.

(B) As used in this section, “year” means the period between the inclusive dates of July 1 through June 30.

(C) Prior to the end of each year, the department shall, for the most current three years available, compare its record of disability placards issued against the records of the ~~Bureau of Vital Statistics~~ *Office of Vital Records* of the State Department of ~~Health Services~~ *Public Health*, or its successor, and withhold any renewal notices that otherwise would have been ~~sent~~, *sent* for a placardholder identified as deceased.

(3) Except as provided in paragraph (4), a person is not eligible for more than one placard at a time.

(4) Organizations and agencies involved in the transportation of disabled persons or disabled veterans may apply for a placard for each vehicle used for the purpose of transporting disabled persons or disabled veterans.

~~Prior~~ (b) (1) *Except as provided in paragraph (4), prior to* issuing an original distinguishing placard to a disabled person or disabled veteran, the department shall require the submission of a certificate, in accordance with paragraph (2), signed by the physician and surgeon, or to the extent that it does not cause a reduction in the receipt of federal aid highway funds, by a nurse practitioner, certified nurse midwife, or physician assistant, substantiating the disability, unless the applicant’s disability is readily observable and uncontested. The disability of a person who has lost, or has lost use of, one or more lower extremities or one

1 hand, for a disabled veteran, or both hands, for a disabled person,  
2 or who has significant limitation in the use of lower extremities,  
3 may also be certified by a licensed chiropractor. The blindness of  
4 an applicant shall be certified by a licensed physician and surgeon  
5 who specializes in diseases of the eye or a licensed optometrist.  
6 The physician and surgeon, nurse practitioner, certified nurse  
7 midwife, physician assistant, chiropractor, or optometrist certifying  
8 the qualifying disability shall provide a full description of the  
9 illness or disability on the form submitted to the department.

10 (2) The physician and surgeon, nurse practitioner, certified nurse  
11 midwife, physician assistant, chiropractor, or optometrist who  
12 signs a certificate submitted under this subdivision shall retain  
13 information sufficient to substantiate that certificate and, upon  
14 request of the department, shall make that information available  
15 for inspection by the Medical Board of California or the appropriate  
16 regulatory board.

17 (3) The department shall maintain in its records all information  
18 on an applicant's certification of permanent disability and shall  
19 make that information available to eligible law enforcement or  
20 parking control agencies upon a request pursuant to Section  
21 22511.58.

22 (4) *For a disabled veteran, the department shall accept, in lieu*  
23 *of the certificate described in paragraph (1), a certificate from the*  
24 *United States Department of Veterans Affairs that certifies that*  
25 *the applicant is a disabled veteran as described in Section 295.7.*

26 (c) A person who is issued a distinguishing placard pursuant to  
27 subdivision (a) may apply to the department for a substitute placard  
28 without recertification of eligibility, if that placard is lost or stolen.

29 (d) The distinguishing placard shall be returned to the  
30 department not later than 60 days after the death of the disabled  
31 person or disabled veteran to whom the placard was issued.

32 (e) The department shall print on any distinguishing placard  
33 issued on or after January 1, 2005, the maximum penalty that may  
34 be imposed for a violation of Section 4461. For the purposes of  
35 this subdivision, the "maximum penalty" is the amount derived  
36 from adding all of the following:

37 (1) The maximum fine that may be imposed under Section 4461.

38 (2) The penalty required to be imposed under Section 70372 of  
39 the Government Code.

1 (3) The penalty required to be levied under Section 76000 of  
2 the Government Code.

3 (4) The penalty required to be levied under Section 1464 of the  
4 Penal Code.

5 (5) The surcharge required to be levied under Section 1465.7  
6 of the Penal Code.

7 (6) The penalty authorized to be imposed under Section 4461.3.

8 *SEC. 2.5. Section 22511.55 of the Vehicle Code is amended to*  
9 *read:*

10 22511.55. (a) (1) A disabled person or disabled veteran may  
11 apply to the department for the issuance of a distinguishing placard.  
12 The placard may be used in lieu of the special license plate or  
13 plates issued under Section 5007 for parking purposes described  
14 in Section 22511.5 when (A) suspended from the rearview ~~mirror~~  
15 ~~or~~ mirror; (B) if there is no rearview mirror, when displayed on  
16 the dashboard of a ~~vehicle~~ vehicle, or (C) inserted in a clip  
17 designated for a distinguishing placard and installed by the  
18 manufacturer on the driver's side of the front window. It is the  
19 intent of the Legislature to encourage the use of these  
20 distinguishing placards because they provide law enforcement  
21 officers with a more readily recognizable symbol for distinguishing  
22 vehicles qualified for the parking privilege. The placard shall be  
23 the size, shape, and color determined by the department and shall  
24 bear the International Symbol of Access adopted pursuant to  
25 Section 3 of Public Law 100-641, commonly known as the  
26 "wheelchair symbol." The department shall incorporate instructions  
27 for the lawful use of a placard, and a summary of the penalties for  
28 the unlawful use of a placard, into the identification card issued  
29 to the placard owner.

30 (2) (A) The department may establish procedures for the  
31 issuance and renewal of the placards. The placards shall have a  
32 fixed expiration date of June 30 every two years. A portion of the  
33 placard shall be printed in a contrasting color that shall be changed  
34 every two years. The size and color of this contrasting portion of  
35 the placard shall be large and distinctive enough to be readily  
36 identifiable by a law enforcement officer in a passing vehicle.

37 (B) As used in this section, "year" means the period between  
38 the inclusive dates of July 1 through June 30.

39 (C) Prior to the end of each year, the department shall, for the  
40 most current three years available, compare its record of disability

1 placards issued against the records of the ~~Bureau of Vital Statistics~~  
2 *Office of Vital Records* of the State Department of ~~Health Services~~  
3 *Public Health*, or its successor, and withhold any renewal notices  
4 that otherwise would have been sent, for a placardholder identified  
5 as deceased.

6 (3) Except as provided in paragraph (4), a person ~~is~~ *shall* not  
7 *be* eligible for more than one placard at a time.

8 (4) Organizations and agencies involved in the transportation  
9 of disabled persons or disabled veterans may apply for a placard  
10 for each vehicle used for the purpose of transporting disabled  
11 persons or disabled veterans.

12 (b) (1) ~~Prior~~ *Except as provided in paragraph (4), prior to*  
13 issuing an original distinguishing placard to a disabled person or  
14 disabled veteran, the department shall require the submission of a  
15 certificate, in accordance with paragraph (2), signed by the  
16 physician and surgeon, or to the extent that it does not cause a  
17 reduction in the receipt of federal aid highway funds, by a nurse  
18 practitioner, certified nurse midwife, or physician assistant,  
19 substantiating the disability, unless the applicant's disability is  
20 readily observable and uncontested. The disability of a person who  
21 has lost, or has lost use of, one or more lower extremities or one  
22 hand, for a disabled veteran, or both hands, for a disabled person,  
23 or who has significant limitation in the use of lower extremities,  
24 may also be certified by a licensed chiropractor. The blindness of  
25 an applicant shall be certified by a licensed physician and surgeon  
26 who specializes in diseases of the eye or a licensed optometrist.  
27 The physician and surgeon, nurse practitioner, certified nurse  
28 midwife, physician assistant, chiropractor, or optometrist certifying  
29 the qualifying disability shall provide a full description of the  
30 illness or disability on the form submitted to the department.

31 (2) The physician and surgeon, nurse practitioner, certified nurse  
32 midwife, physician assistant, chiropractor, or optometrist who  
33 signs a certificate submitted under this subdivision shall retain  
34 information sufficient to substantiate that certificate and, upon  
35 request of the department, shall make that information available  
36 for inspection by the Medical Board of California or the appropriate  
37 regulatory board.

38 (3) The department shall maintain in its records all information  
39 on an applicant's certification of permanent disability and shall  
40 make that information available to eligible law enforcement or

1 parking control agencies upon a request pursuant to Section  
2 22511.58.

3 (4) *For a disabled veteran, the department shall accept, in lieu*  
4 *of the certificate described in paragraph (1), a certificate from the*  
5 *United States Department of Veterans Affairs that certifies that*  
6 *the applicant is a disabled veteran as described in Section 295.7.*

7 (c) A person who is issued a distinguishing placard pursuant to  
8 subdivision (a) may apply to the department for a substitute placard  
9 without recertification of eligibility, if that placard is lost or stolen.

10 (d) The distinguishing placard shall be returned to the  
11 department not later than 60 days after the death of the disabled  
12 person or disabled veteran to whom the placard was issued.

13 (e) The department shall print on any distinguishing placard  
14 issued on or after January 1, 2005, the maximum penalty that may  
15 be imposed for a violation of Section 4461. For the purposes of  
16 this subdivision, the “maximum penalty” is the amount derived  
17 from adding all of the following:

18 (1) The maximum fine that may be imposed under Section 4461.

19 (2) The penalty required to be imposed under Section 70372 of  
20 the Government Code.

21 (3) The penalty required to be levied under Section 76000 of  
22 the Government Code.

23 (4) The penalty required to be levied under Section 1464 of the  
24 Penal Code.

25 (5) The surcharge required to be levied under Section 1465.7  
26 of the Penal Code.

27 (6) The penalty authorized to be imposed under Section 4461.3.

28 *SEC. 2.7. Section 22511.55 of the Vehicle Code is amended to*  
29 *read:*

30 22511.55. (a) (1) A disabled person or disabled veteran may  
31 apply to the department for the issuance of a distinguishing placard.  
32 The placard may be used in lieu of the special license plate or  
33 plates issued under Section 5007 for parking purposes described  
34 in Section 22511.5 when (A) suspended from the rearview-mirror  
35 ~~or, mirror~~; (B) if there is no rearview mirror, when displayed on  
36 the dashboard of a ~~vehicle~~ vehicle, or (C) inserted in a clip  
37 designated for a distinguishing placard and installed by the  
38 manufacturer on the driver’s side of the front window. It is the  
39 intent of the Legislature to encourage the use of ~~these~~  
40 distinguishing placards because they provide law enforcement

1 officers with a more readily recognizable symbol for distinguishing  
2 vehicles qualified for the parking privilege. The placard shall be  
3 the size, shape, and color determined by the department and shall  
4 bear the International Symbol of Access adopted pursuant to  
5 Section 3 of Public Law 100-641, commonly known as the  
6 “wheelchair symbol.” The department shall incorporate instructions  
7 for the lawful use of a placard, and a summary of the penalties for  
8 the unlawful use of a placard, into the identification card issued  
9 to the placard owner.

10 (2) (A) The department may establish procedures for the  
11 issuance and renewal of the placards. *The procedures shall include,*  
12 *but are not limited to, advising an applicant in writing on the*  
13 *application for a placard, of the procedure to apply for a special*  
14 *license plate or plates, as described in Section 5007, and the fee*  
15 *exemptions established pursuant to Section 9105 and in subdivision*  
16 *(a) of Section 10783 of the Revenue and Taxation Code. The*  
17 placards shall have a fixed expiration date of June 30 every two  
18 years. A portion of the placard shall be printed in a contrasting  
19 color that shall be changed every two years. The size and color of  
20 this contrasting portion of the placard shall be large and distinctive  
21 enough to be readily identifiable by a law enforcement officer in  
22 a passing vehicle.

23 (B) As used in this section, “year” means the period between  
24 the inclusive dates of July 1 through June 30.

25 (C) Prior to the end of each year, the department shall, for the  
26 most current three years available, compare its record of disability  
27 placards issued against the records of the ~~Bureau of Vital Statistics~~  
28 *Office of Vital Records* of the State Department of ~~Health Services~~  
29 *Public Health*, or its successor, and withhold any renewal notices  
30 that otherwise would have been sent, for a placardholder identified  
31 as deceased.

32 (3) Except as provided in paragraph (4), a person ~~is~~ *shall* not  
33 be eligible for more than one placard at a time.

34 (4) Organizations and agencies involved in the transportation  
35 of disabled persons or disabled veterans may apply for a placard  
36 for each vehicle used for the purpose of transporting disabled  
37 persons or disabled veterans.

38 (b) (1) ~~Prior~~ *Except as provided in paragraph (4), prior to*  
39 issuing an original distinguishing placard to a disabled person or  
40 disabled veteran, the department shall require the submission of a

1 certificate, in accordance with paragraph (2), signed by the  
2 physician and surgeon, or to the extent that it does not cause a  
3 reduction in the receipt of federal aid highway funds, by a nurse  
4 practitioner, certified nurse midwife, or physician assistant,  
5 substantiating the disability, unless the applicant's disability is  
6 readily observable and uncontested. The disability of a person who  
7 has lost, or has lost use of, one or more lower extremities or one  
8 hand, for a disabled veteran, or both hands, for a disabled person,  
9 or who has significant limitation in the use of lower extremities,  
10 may also be certified by a licensed chiropractor. The blindness of  
11 an applicant shall be certified by a licensed physician and surgeon  
12 who specializes in diseases of the eye or a licensed optometrist.  
13 The physician and surgeon, nurse practitioner, certified nurse  
14 midwife, physician assistant, chiropractor, or optometrist certifying  
15 the qualifying disability shall provide a full description of the  
16 illness or disability on the form submitted to the department.

17 (2) The physician and surgeon, nurse practitioner, certified nurse  
18 midwife, physician assistant, chiropractor, or optometrist who  
19 signs a certificate submitted under this subdivision shall retain  
20 information sufficient to substantiate that certificate and, upon  
21 request of the department, shall make that information available  
22 for inspection by the Medical Board of California or the appropriate  
23 regulatory board.

24 (3) The department shall maintain in its records all information  
25 on an applicant's certification of permanent disability and shall  
26 make that information available to eligible law enforcement or  
27 parking control agencies upon a request pursuant to Section  
28 22511.58.

29 (4) *For a disabled veteran, the department shall accept, in lieu*  
30 *of the certificate described in paragraph (1), a certificate from the*  
31 *United States Department of Veterans Affairs that certifies that*  
32 *the applicant is a disabled veteran as described in Section 295.7.*

33 (c) A person who is issued a distinguishing placard pursuant to  
34 subdivision (a) may apply to the department for a substitute placard  
35 without recertification of eligibility, if that placard is lost or stolen.

36 (d) The distinguishing placard shall be returned to the  
37 department not later than 60 days after the death of the disabled  
38 person or disabled veteran to whom the placard was issued.

39 (e) The department shall print on any distinguishing placard  
40 issued on or after January 1, 2005, the maximum penalty that may

1 be imposed for a violation of Section 4461. For the purposes of  
2 this subdivision, the “maximum penalty” is the amount derived  
3 from adding all of the following:

4 (1) The maximum fine that may be imposed under Section 4461.

5 (2) The penalty required to be imposed under Section 70372 of  
6 the Government Code.

7 (3) The penalty required to be levied under Section 76000 of  
8 the Government Code.

9 (4) The penalty required to be levied under Section 1464 of the  
10 Penal Code.

11 (5) The surcharge required to be levied under Section 1465.7  
12 of the Penal Code.

13 (6) The penalty authorized to be imposed under Section 4461.3.

14 *SEC. 3. Section 1.5 of this bill incorporates amendments to*  
15 *Section 5007 of the Vehicle Code proposed by both this bill and*  
16 *AB 2777. It shall only become operative if (1) both bills are enacted*  
17 *and become effective on or before January 1, 2011, (2) each bill*  
18 *amends Section 5007 of the Vehicle Code, and (3) this bill is*  
19 *enacted after AB 2777, in which case Section 1 of this bill shall*  
20 *not become operative.*

21 *SEC. 4. (a) Section 2.3 of this bill incorporates amendments*  
22 *to Section 22511.55 of the Vehicle Code proposed by both this bill*  
23 *and AB 1855. It shall only become operative if (1) both bills are*  
24 *enacted and become effective on or before January 1, 2011, (2)*  
25 *each bill amends Section 22511.55 of the Vehicle Code, (3) SB*  
26 *1318 is not enacted or as enacted does not amend that section,*  
27 *and (4) this bill is enacted after AB 1855, in which case Sections*  
28 *2, 2.5, and 2.7 of this bill shall not become operative.*

29 *(b) Section 2.5 of this bill incorporates amendments to Section*  
30 *22511.55 of the Vehicle Code proposed by both this bill and SB*  
31 *1318. It shall only become operative if (1) both bills are enacted*  
32 *and become effective on or before January 1, 2011, (2) each bill*  
33 *amends Section 22511.55 of the Vehicle Code, (3) AB 1855 is not*  
34 *enacted or as enacted does not amend that section, and (4) this*  
35 *bill is enacted after SB 1318, in which case Sections 2, 2.3, and*  
36 *2.7 of this bill shall not become operative.*

37 *(c) Section 2.7 of this bill incorporates amendments to Section*  
38 *22511.55 of the Vehicle Code proposed by this bill, AB 1855, and*  
39 *SB 1318. It shall only become operative if (1) all three bills are*  
40 *enacted and become effective on or before January 1, 2011, (2)*



- 1 *all three bills amend Section 22511.55 of the Vehicle Code, and*
- 2 *(3) this bill is enacted after both AB 1855 and SB 1318, in which*
- 3 *case Sections 2, 2.3, and 2.5 of this bill shall not become operative.*

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